



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,167	12/28/2000	Nobuyoshi Nambu	0052/036001	2870

22893 7590 12/10/2003

SMITH PATENT OFFICE
1901 PENNSYLVANIA AVENUE N W
SUITE 200
WASHINGTON, DC 20006

EXAMINER

CINTINS, IVARS C

ART UNIT	PAPER NUMBER
----------	--------------

1724

DATE MAILED: 12/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/674,167	12/28/2000	Nobuyoshi NAMBU et al.	0052/036001

EXAMINER	
I. Cintins	
ART UNIT	PAPER NUMBER
1724	---

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The communication filed on September 22, 2003 is not deemed to be fully responsive to the Office action dated June 18, 2003 because this communication fails to comply with a requirement contained in said Office action. The Office action dated June 18, 2003 contains a statement that claims 28-43 are directed to an invention which is not patentably distinct from claims 1-11 of commonly assigned U.S. Patent No. 6,168,863; or from claims 1-18 of commonly assigned U.S. Patent No. 6,200,481 (see page 3, second paragraph). This Office action further contains a requirement, under 37 CFR 1.78(c), for the assignee to either show that the conflicting inventions were commonly owned at the time the invention in this application was made or to name the prior inventor of the conflicting subject matter (see page 4, lines 1-5). The communication filed on September 22, 2003 does neither, and therefore this communication does not comply with the requirements of 37 CFR 1.78(c).

Serial Number: 09/674,167

Page 2


Art Unit: 1724

Since the above noted communication appears to be *bona fide*, Applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment of the application. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (703) 308-3840. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Blaine Copenheaver, can be reached at (703) 308-1261.

The centralized facsimile number for the USPTO is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0661.


Ivars C. Cintins
Primary Examiner
Art Unit 1724

I. Cintins
December 6, 2003